

**CITY OF NEWTON
PURCHASING DEPARTMENT**

CONTRACT FOR THE PLANNING DEPARTMENT

REQUEST FOR PROPOSAL:

**Planning Department Management and Organizational Analysis
*RFP #15-64***

Proposal Due Date: February 19, 2015 at 10:30 a.m.

FEBRUARY 2015

Setti D. Warren, Mayor

CITY OF NEWTON
PURCHASING DEPARTMENT
REQUEST FOR PROPOSALS #15-64

This City of Newton Request For Proposals (RFP) invites sealed proposals from Consultants for

PLANNING DEPARTMENT MANAGEMENT AND ORGANIZATIONAL ANALYSIS

Proposals will be received until **10:30 a.m., Thursday, February 19, 2015** at the Purchasing Department, Room 201, Newton City Hall, 1000 Commonwealth Ave., Newton, MA 02459. Immediately following the deadline for submission, all proposals received within the time specified will be publicly opened and read aloud.

Documented associated with this RFP (Contract Documents) will be available online at the City's website: www.newtonma.gov/bids after: **10:00 a.m., February 5, 2015.**

Proposers are responsible for downloading the specifications from the City's web site at www.newtonma.gov/bids. Proposers are requested to email the Purchasing Department (purchasing@newtonma.gov) their Company Name, Address, Email address, Phone & Facsimile number and what bid # (i.e. #15-64) they have downloaded.

The term of the awarded contract shall extend from the day of execution through October 31, 2015.

As this is an RFP, proposers shall submit (i) a technical, or non-price proposal, which includes everything responsive to this RFP except the proposed contract price, and (ii) a price proposal.

There is no specific form for the technical proposal, although it should be responsive to all information requested in the RFP. The price proposals shall be submitted on the Price Proposal #15-64 form included in this RFP.

All proposals shall be submitted as (i) for the technical proposal, one ORIGINAL and four (4) COPIES and (ii) for the price proposal, ONE COPY. In addition, a digital DVD copy of the technical proposal is requested, but not required.

Proposers' attention is directed to the requirements of the City's Supplemental Equal Employment Opportunity, Anti-Discrimination and Affirmative Action Program and also to the Minority/Women Business Enterprise Plan, December 1999, all of which are available on the Purchasing Department's web page. In the event of conflict between any of the above listed policies, the stricter policy shall apply.

All City of Newton bids are available on the City's web site, www.newtonma.gov/bids. It is the sole responsibility of the contractor downloading these bids to ensure they have received any and all addenda prior to the bid opening. Addenda will be available online within the original bid document as well as a separate file. If you download bids from the internet site and would like to make it known that your company has done so, you are requested to email the Purchasing Department (purchasing@newtonma.gov) the Company Name, Address, Email address, Phone & Facsimile number and what bid # (i.e. #15-64) has been downloaded.

The City will reject any and all proposals in accordance with the above referenced General Laws. In addition, the City reserves the right to waive minor informalities in any or all bids, or to reject any or all proposals (in whole or in part) if it be in the public interest to do so.

CITY OF NEWTON



Nicholas Read
Chief Procurement Officer
February 5, 2015

**CITY OF NEWTON, MASSACHUSETTS
PURCHASING DEPARTMENT**

February 5, 2015

REQUEST FOR PROPOSAL No. #15-64

PLANNING DEPARTMENT MANAGEMENT AND ORGANIZATIONAL ANALYSIS

I. DECISION TO USE COMPETITIVE SEALED PROPOSALS

The Chief Procurement Officer has determined that in order to select the most advantageous proposal for management and organizational services for the City of Newton Planning and Development Department, comparative judgments of technical factors will be necessary. The City believes that the individual(s)/firm serving in this capacity must have a broad range of experience with Public Sector Organizational Management. The RFP process will enable the city to provide higher ratings to consultants whose key project personnel have extensive experience providing similar services to other similarly situated cities and towns, particularly where they have been able to work within local objectives and policies and with Planning Department's working within a complex regulatory and policy-making environment.

II. INSTRUCTIONS TO PROPOSERS

- A. **GOVERNING LAW and DEADLINE FOR SUBMISSION:** All proposals must be submitted in accordance with Massachusetts General Laws Chapter 30B, Section 6, to the *Chief Procurement Officer* in the Purchasing Department, Newton City Hall, 1000 Commonwealth Avenue, Newton, MA 02459, no later than **11 a.m., February 12, 2015**.

Proposers shall provide ONE (1) ORIGINAL and FOUR (4) COPIES and, if able, **ONE (1) CD** of the TECHNICAL PROPOSAL and ONE (1) COPY of the PRICE PROPOSAL.

Envelopes shall be marked:

"TECHNICAL PROPOSAL - RFP #15-64 "Planning Department Management and Organizational Analysis"

Proposals must have information submitted in the same order of the criteria as listed in this RFP and pages shall be numbered in the bottom footer. Proposals must have a Table of Contents listing the page number providing documentation that demonstrates they have met each of the criteria listed.

Faxed proposals will not be accepted.

"PRICE PROPOSAL – RFP #15-64 Planning Department Management and Organizational Analysis"

IF PRICE IS INCLUDED IN THE TECHNICAL PROPOSAL, THE PROPOSAL MAY BE DISQUALIFIED.

The City of Newton's Purchasing Department. uses an email notification system for all upcoming public bids. If you wish to receive notification of bids, please email us your company information to purchasing@newtonma.gov , otherwise you may view all City of Newton public bids online at www.newtonma.gov/bids.

- B. **QUESTIONS/ADDENDUMS:** Inquiries involving procedural or technical matters should be directed in writing, no later than, February 6, 2015 at 12:00 noon to:

purchasing@newtonma.gov or facsimile (617) 796-1227
Chief Procurement Officer
Purchasing Department
City of Newton
1000 Commonwealth Avenue
Newton, MA 02459

ADDENDA: Each proposer is required to acknowledge any/all Addenda. Proposers shall place their acknowledgment as the first line of their Transmittal/Cover Page which shall be placed as the first page of the “Technical Proposal” as well as in the designated line of the “Price Proposal”.

Addenda will be posted online and emailed to every individual or firm on record as having received a set of Contract Documents. If you have downloaded the RFP from the internet, you must make your company known to the City of Newton, Purchasing Department, by emailing or faxing your company’s: name, address, phone, fax, and email address and include the RFP NUMBER (#15-64) and project title. It is the contractor’s sole responsibility to ensure that they have received all addenda’s prior to the RFP submittal date. Copies of addenda will be made available at the Purchasing Department and on the City’s website: www.newtonma.gov/bids

If you have downloaded the RFP please be sure to email us (purchasing@newtonma.gov), your Name, Address, Phone and Fax numbers, email address and what RFP number and project title you have downloaded.

- C. EXAMINATION OF DOCUMENTS: Each proposer shall be satisfied, by personal examination of the location of the contemplated services and by any other means, as to the requirements of the contemplated services to enable the intelligent preparation of this proposal. The proposer shall be familiar with all RFP Documents before submitting the proposals in order that no misunderstanding shall exist in regard to the nature and character of the contemplated services to be performed. No allowance will be made for any claim that the proposal is based on incomplete information as to the nature and character of the area or contemplated service.
- D. The City of Newton will reject any and all proposals when required to do so by the above referenced General Laws. In addition, the City of Newton reserves the right to waive any informalities in any or all proposals, or to reject any or all proposals in whole or in part, if it be in the public interest to do so.
- E. TIMELINE:

RFP Released	: Thursday, February 5, 2015 @ 10:00 a.m.
Questions submitted	: Thursday, February 12, 2015 @ 12:00 noon
Addenda w/Answers	: Tuesday, February 17, 2015 @ 3:00 p.m.
Proposal Submittal	: Thursday, February 19, 2015 @ 10:00 a.m.
Award	: TBD

III. EVALUATION OF PROPOSALS

There will be no public opening of submitted proposals. Following the deadline for receipt, the *Chief Procurement Officer* will open the Technical Proposals and prepare a register of those firms submitting proposals which shall be available for public inspection. All proposal contents shall be confidential until the evaluation is final and award has been made.

The Technical Proposals shall be evaluated by an evaluation committee designated by the *Chief Procurement Officer* who shall prepare their evaluation based on the criteria contained herein.

Upon completion of the technical evaluation, the *Chief Procurement Officer* will open and evaluate the Price Proposals. A contract will be awarded to the responsive and responsible proposer whose proposal is determined to be most advantageous taking into consideration cost and evaluative criteria. The City reserves the right to reject any and all proposals if to do so is determined to be in the best interests of the City.

All proposals shall remain firm for sixty (60) calendar days after the proposal opening.

City of Newton
Planning and Development Department
Planning Department Management and Organizational Analysis

NARRATIVE DESCRIPTION

The City of Newton, Massachusetts seeks a qualified consultant(s) to provide expertise and assistance to the City of Newton Planning and Development Department in a management and organizational analysis. The selected consultant(s) must have expertise in the theory and practice of local government management and familiarity with the local planning function.

Project Context

A city of approximately 85,000 people adjacent to Boston, Newton benefits from a prime location with good transportation access to the region's job centers in Boston, Cambridge, and the Route 128 corridor and an excellent public school system. The City also represents an ideal mixture of good community design with a number of historic walkable and transit-oriented village centers, attractive neighborhoods, and beautiful parks. These amenities have made Newton a highly desirable community and, coupled with the strong regional economy, there is a high demand for new residential and business development and a commensurate increase in traffic and related growth issues. The fact that the community is changing under these influences, and will continue to do so as the City's demographics, transportation choices, and businesses evolve over time, has led to the understanding that the City needs a detailed planning effort, beyond that of the 2007 Comprehensive Plan, that prepares the City for these changes and results in transportation improvements, diverse housing opportunities and a new zoning ordinance that provides fair and predictable control to protect Newton's essential character and quality of life.

In this environment of robust growth pressures and needed renewal of both policy and regulatory systems to successfully guide the community, the Department of Planning and Development is at the forefront to respond to the concerns of residents, businesses, and elected officials and must take a leadership role in addressing the process of change in the community. The Department has proposed a significant Master Planning and Zoning Reform program that will require staff resources above and beyond the normal departmental workload. In addition, increasing development applications are requiring more time for project review.

Project Description

The Planning Department Management and Organizational Analysis project is to examine the structure and functioning of the Planning Department and the planning function of the City. The consultant(s) will be expected to make recommendations to enhance the effectiveness and efficiency of the Department including determining adequate staffing levels and organizational structure, identifying best practices for a modern Planning Department and innovations in the use of technology, data tracking, and development review processes, and reviewing communication tools and approaches for elected officials, the public, and other important community stakeholders. Another essential component of this project is analysis and recommendations towards ensuring the successful completion of the proposed Master Planning and Zoning Reform Program and the implementation of the resulting recommendations including building the capacity of the Planning Department to engage in Master Planning type activities. This project will include the following tasks by the consultant:

1. Assessment report on the Planning Department including organization, productivity, and management and role of the various Boards and Committees overseen by the Department. This assessment should be derived from interviews and/or surveys with key City staff within and outside of the Department, members of City Boards and Committees, and various community stakeholders which could include local land use attorneys, developers, representatives of local interest groups, and members of the general public.
2. Best practices report examining the organization and structure of other planning departments for mechanisms that might work well in Newton.
3. Recommendation report identifying proposed changes to Departmental structures and practices, new or modified job descriptions, new data tracking mechanisms, changes to the Department webpage and other public interface tools such as application forms, guidance on public meeting conduct, staff training schedule, and other recommendations as appropriate.

Minimum Criteria - provide documentation demonstrating your compliance with each criterion or reference what page number within your technical proposal this documentation can be found.

The proposer and/or those employees of the proposer who will be assigned to this project must satisfy the following minimum criteria. **Proposals which do not demonstrate compliance with the minimum criteria will not be further considered.**

1. A Master's degree in Planning, Public Administration, or a closely related field.
2. A work portfolio demonstrating experience working with planning departments, or similar public sector organizations, similar in size and scope to that of Newton's.
3. A minimum of five (5) years of professional experience in public administration, management consulting or similar.
4. Resumes are required for all project personnel.
5. Bidder's Qualifications and References Form, 2 pages
6. Non-Collusion Form, 1 page
7. Debarment Letter, 1 page
8. IRS W-9 Form, 1 page

Comparative Evaluation Criteria - provide documentation demonstrating your compliance with each criterion or reference what page number within your technical proposal this documentation can be found. These criteria are listed in order of priority.

The evaluation of each proposal for Transportation Strategy Consulting Services will be based upon the “Comparative Evaluation Criteria” described in this section. The following scale will be used to rate each evaluation criterion, as well as to determine a composite rating of each proposal:

“Highly Advantageous”
“Advantageous”
“Not Advantageous”
“Unacceptable”

An “Unacceptable” rating in any one of the criteria will eliminate a proposal from further consideration.

EVALUATION CRITERIA

Proposals from contractors who meet or exceed the minimum criteria will be evaluated and rated on the basis of the following comparative criteria. The city reserves the right to ask any respondent to provide additional supporting documentation in order to verify its response.

Ratings of Highly Advantageous (HA); Advantageous (A); Not Advantageous (NA); or Unacceptable (U) will be given to each of the following criteria for each respondent. A composite rating will then be determined. A composite rating of Highly Advantageous or Advantageous may be assigned only if a proposal has received at least one such rating among the criteria listed below.

To the extent that an Evaluation Criterion requires the certification of fact, the proposer’s certification as to that fact shall be an adequate response provided, however, that on request the proposer shall provide to the City such evidence as the City may request to support that fact.

1. Quality of Work Proposal

The proposal should include a proposed scope of work addressing the tasks described above. The proposal should clearly articulate the approach that the consultant proposes to use to meet the requirements of the program and should define the steps in the process, the roles of different members of the consultant team and an approximate timeframe for each part.

Highly advantageous: The project proposal demonstrates strong understanding of intent of the project and the needs of the City and presents an efficient and thorough process.

Advantageous: The project proposal demonstrates good understanding of the intent of the project and the needs of the City and presents an efficient process.

Not Advantageous: The project proposal demonstrates some understanding of the intent of the project and the needs of the City and presents a generally efficient process.

Unacceptable: The project proposal does not demonstrate understanding of the intent of the project and the needs of the City.

2. Quality and Depth of Project Experience

Include with your proposal samples of at least two (2) similar projects the consultant has successfully completed, preferably for municipalities similar in size to Newton.

Highly advantageous: The samples demonstrate superior experience in providing services related to the City’s requirements. The project proposal demonstrates a wide depth of experience with similar projects (5 or more), and prior experience with municipally or privately funded not-to-exceed or fixed-fee contracts. Project work samples are of outstanding quality in content and technical presentation.

Advantageous: The samples demonstrate solid experience in providing services related to the City's requirements. The project proposal demonstrates a good depth of experience with similar projects (3 to 5), and prior experience with municipally or privately funded not-to-exceed or fixed-fee contracts. Project work samples are of good quality in content and technical presentation.

Not Advantageous: The proposer has limited experience in providing services related to the City's requirements or with similar projects (less than 3), and prior experience with public or private, not-to-exceed or fixed fee contracts. Project work samples minimally meet current standards for content and technical presentation.

Unacceptable: Has not completed any projects similar in scope.

3. Qualifications of the Proposer Based on Submitted Resume(s)

Highly advantageous: The resume(s) demonstrate that the proposer has superior training, educational background and work experience appropriate to the project described herein and all key project personnel demonstrate professional experience well beyond the minimum requirements.

Advantageous: The resume(s) demonstrate that the proposer has adequate training, educational background and work experience appropriate to the project described herein and all key project personnel demonstrate professional experience that meets or somewhat exceeds the minimum requirements.

Not Advantageous: The resume(s) do not demonstrate that proposer has adequate training, educational background and work experience appropriate to the project described herein.

Unacceptable: The proposer did not provide any resumes or background information for project personnel.

4. Completeness and Quality of Proposal

Highly advantageous: Response is complete, concise, informative, and highly detailed. Proposal reflects that proposer is able to perform in a superior manner acceptable to the City. Evaluation team is completely convinced about the proposer's ability to provide the level of services as required by the City. Proposal demonstrates excellent communication and documentation skills.

Advantageous: Response is complete, informative, and meets criteria for responsiveness. Evaluation team finds proposal reflects that proposer is able to perform in an adequate manner acceptable to the City. Proposal demonstrates a good level of communication and documentation skills.

Not Advantageous: Response lacks a comprehensive approach, but meets criteria for responsiveness. Evaluation team finds proposal reflects that proposer may be able to perform in a manner acceptable to the City. Communication and documentation skills appear only adequate.

Unacceptable: Proposal lacks project information regarding the proposers approach to the project.

5. Quality of the Presentation

All proposers meeting minimum criteria and rated as Highly Advantageous or Advantageous on 1-4 above will be invited to interview. Each proposer selected for an interview will be asked to make a maximum 20 minute presentation of the proposal.

Highly advantageous: Presentation is visually attractive, informative and demonstrates excellent communication skills. The presentation reflects that the proposer is able to perform in a superior manner acceptable to the City. Evaluation team is completely convinced about the proposer's ability to provide the level of services as required by the City.

Advantageous: Presentation is good, informative, and demonstrates acceptable communication skills. Evaluation team finds that the presentation reflects that proposer is able to perform in an adequate manner acceptable to the City.

Not Advantageous: Presentation lacks a comprehensive approach, but demonstrates adequate communications skills. Evaluation team finds that the presentation reflects that the proposer may be able to perform in a manner acceptable to the City.

Unacceptable: Presentation does not demonstrate adequate communication skills.

6. References (3)

One member of the Evaluation Committee will check three (3) references of all proposers who meet the Minimum Criteria and have been selected for an interview, asking the same questions of each reference. The person who checks the references will prepare a report for the remaining evaluators.

Highly advantageous: All references contacted spoke favorably of the work performed by the proposer and would use them again for a similar project without hesitation.

Advantageous: The great majority of references spoke favorably of the work performed by the proposer and would use them again for a similar project without hesitation.

Not Advantageous: One reference stated that there had been significant difficulties with the proposer's ability to deliver the contracted services and deliverables.

Unacceptable: Proposal lacks references.

The selection process will include an evaluation procedure based on the criteria identified above. Finalists will be required to appear for an interview.

Price Proposal

Proposers shall use "ATTACHMENT A" to this RFP #15-64 in submitting their price proposal(s). Please remember to submit your price proposal in a separately sealed marked envelope. Any Technical Proposal with prices may be deemed unresponsive.

Contract Term:

Work under this RFP is expected to begin **the day of contract execution and shall extend thru October 31, 2015.**

END OF SECTION

ATTACHMENT A – PRICE PROPOSAL

City of Newton Planning Department

RFP #15-64 for Planning Department Management and Organizational Analysis

This form must be completed and placed, within your price proposal and ensure your envelope is marked:

“RFP #15-64 Price Proposal –Planning Department Management and Organizational Analysis”

Name of Firm or individual submitting bid: _____
(Please Print)

Contact Person _____

Address: _____

Telephone / FAX#: _____ / _____

E-mail address: _____

The proposer acknowledges the following addenda: ____, ____, ____, ____

ASSESSMENT & BEST PRACTICES REPORTS \$ _____

RECOMMENDATION REPORT \$ _____

TOTAL COST \$ _____

CITY OF NEWTON

BIDDER'S QUALIFICATIONS AND REFERENCES FORM

All questions must be answered, and the data given must be clear and comprehensive. Please type or print legibly. If necessary, add additional sheet for starred items. This information will be utilized by the City for purposes of determining bidder responsiveness and responsibility with regard to the requirements and specifications of the Contract.

1. FIRM NAME: _____
2. WHEN ORGANIZED: _____
3. INCORPORATED? ____ YES ____ NO DATE AND STATE OF INCORPORATION: _____
4. IS YOUR BUSINESS A **MBE**? ____ YES ____ NO **WBE**? ____ YES ____ NO or **MWBE**? ____ YES ____ NO
- * 5. LIST ALL CONTRACTS CURRENTLY ON HAND, SHOWING CONTRACT AMOUNT AND ANTICIPATED DATE OF COMPLETION:

- * 6. HAVE YOU EVER FAILED TO COMPLETE A CONTRACT AWARDED TO YOU?
____ YES ____ NO
IF YES, WHERE AND WHY?

- * 7. HAVE YOU EVER DEFAULTED ON A CONTRACT? ____ YES ____ NO
IF YES, PROVIDE DETAILS.

- * 8. LIST YOUR VEHICLES/EQUIPMENT AVAILABLE FOR THIS CONTRACT:

- * 9. IN THE SPACES FOLLOWING, PROVIDE INFORMATION REGARDING CONTRACTS COMPLETED BY YOUR FIRM SIMILAR IN NATURE TO THE PROJECT BEING BID. A MINIMUM OF FOUR (4) CONTRACTS SHALL BE LISTED. PUBLICLY BID CONTRACTS ARE PREFERRED, BUT NOT MANDATORY.

PROJECT NAME: _____
OWNER: _____
CITY/STATE: _____

DOLLAR AMOUNT: \$ _____ DATE COMPLETED: _____
PUBLICLY BID? _____ YES _____ NO
TYPE OF WORK?: _____
CONTACT PERSON: _____ TELEPHONE #: (____) _____
CONTACT PERSON'S RELATION TO PROJECT?: _____
(i.e., contract manager, purchasing agent, etc.)

PROJECT NAME: _____
OWNER: _____
CITY/STATE: _____
DOLLAR AMOUNT: \$ _____ DATE COMPLETED: _____
PUBLICLY BID? _____ YES _____ NO
TYPE OF WORK?: _____
CONTACT PERSON: _____ TELEPHONE #: (____) _____
CONTACT PERSON'S RELATION TO PROJECT?: _____
(i.e., contract manager, purchasing agent, etc.)

PROJECT NAME: _____
OWNER: _____
CITY/STATE: _____
DOLLAR AMOUNT: \$ _____ DATE COMPLETED: _____
PUBLICLY BID? _____ YES _____ NO
TYPE OF WORK?: _____
CONTACT PERSON: _____ TELEPHONE #: (____) _____
CONTACT PERSON'S RELATION TO PROJECT?: _____
(i.e., contract manager, purchasing agent, etc.)

PROJECT NAME: _____
OWNER: _____
CITY/STATE: _____
DOLLAR AMOUNT: \$ _____ DATE COMPLETED: _____
PUBLICLY BID? _____ YES _____ NO
TYPE OF WORK?: _____
CONTACT PERSON: _____ TELEPHONE #: (____) _____
CONTACT PERSON'S RELATION TO PROJECT?: _____
(i.e., contract manager, purchasing agent, etc.)

10. The undersigned certifies that the information contained herein is complete and accurate and hereby authorizes and requests any person, firm, or corporation to furnish any information requested by the City in verification of the recitals comprising this statement of Bidder's qualifications and experience.

DATE: _____ BIDDER: _____

SIGNATURE: _____

PRINTED NAME: _____ TITLE: _____

END OF SECTION

CERTIFICATE OF NON-COLLUSION

The undersigned certifies under penalties of perjury that this bid or proposal has been made and submitted in good faith and submitted in good faith and without collusion or fraud with any other person. As used in this certification, the word “person” shall mean any natural person, business, partnership, corporation, union, committee club, or other organization, entity, or group or individuals.

(Signature of individual)

Name of Business

City of Newton



Mayor
Setti D. Warren

PURCHASING DEPARTMENT
NICHOLAS READ & CHIEF PROCUREMENT OFFICER
1000 Commonwealth Avenue
Newton Centre, MA 02459-1449
purchasing@newtonma.gov

Telephone
(617) 796-1220
Fax:
(617) 796-1227
TDD/TTY
(617) 796-1089

Date

Vendor

Re: Debarment Letter for Request For Proposal #15-64

As a potential vendor on the above contract, the City requires that you provide a debarment/suspension certification indicating that you are in compliance with the below Federal Executive Order. Certification can be done by completing and signing this form.

III. Debarment:

Federal Executive Order (E.O.) 12549 “Debarment and Suspension” requires that all contractors receiving individual awards, using federal funds, and all sub-recipients certify that the organization and its principals are not debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded by any Federal department or agency from doing business with the Federal Government.

I hereby certify under pains and penalties of perjury that neither I nor any principal(s) of the Company identified below is presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in this transaction by any federal department or agency.

_____(Name)
_____(Company)
_____(Address)
_____(Address)
PHONE _____ FAX _____
EMAIL _____

Signature

Date

If you have questions, please contact Nicholas Read, Chief Procurement Officer at (617) 796-1220.

**Request for Taxpayer
Identification Number and Certification**

Give form to the
requester. Do not
send to the IRS.

Print or type
See Specific Instructions on page 2.

Name (as shown on your income tax return)

Business name, if different from above

Check appropriate box: ☐ Individual/Sole proprietor ☐ Corporation ☐ Partnership
☐ Limited liability company. Enter the tax classification (D=disregarded entity, C=corporation, P=partnership) ▶
☐ Other (see instructions) ▶

X Exempt
payee

Address (number, street, and apt. or suite no.)

Requester's name and address (optional)

City, state, and ZIP code

List account number(s) here (optional)

Part I Taxpayer Identification Number (TIN)

Enter your TIN in the appropriate box. The TIN provided must match the name given on Line 1 to avoid backup withholding. For individuals, this is your social security number (SSN). However, for a resident alien, sole proprietor, or disregarded entity, see the Part I instructions on page 3. For other entities, it is your employer identification number (EIN). If you do not have a number, see *How to get a TIN* on page 3.

Social security number

or

Employer identification number

Note. If the account is in more than one name, see the chart on page 4 for guidelines on whose number to enter.

Part II Certification

Under penalties of perjury, I certify that:

1. The number shown on this form is my correct taxpayer identification number (or I am waiting for a number to be issued to me), and
2. I am not subject to backup withholding because: (a) I am exempt from backup withholding, or (b) I have not been notified by the Internal Revenue Service (IRS) that I am subject to backup withholding as a result of a failure to report all interest or dividends, or (c) the IRS has notified me that I am no longer subject to backup withholding, and
3. I am a U.S. citizen or other U.S. person (defined below).

Certification instructions. You must cross out item 2 above if you have been notified by the IRS that you are currently subject to backup withholding because you have failed to report all interest and dividends on your tax return. For real estate transactions, item 2 does not apply. For mortgage interest paid, acquisition or abandonment of secured property, cancellation of debt, contributions to an individual retirement arrangement (IRA), and generally, payments other than interest and dividends, you are not required to sign the Certification, but you must provide your correct TIN. See the instructions on page 4.

**Sign
Here**

Signature of
U.S. person ▶

Date ▶

Name

General Instructions

Section references are to the Internal Revenue Code unless otherwise noted.

Purpose of Form

A person who is required to file an information return with the IRS must obtain your correct taxpayer identification number (TIN) to report, for example, income paid to you, real estate transactions, mortgage interest you paid, acquisition or abandonment of secured property, cancellation of debt, or contributions you made to an IRA.

Use Form W-9 only if you are a U.S. person (including a resident alien), to provide your correct TIN to the person requesting it (the requester) and, when applicable, to:

1. Certify that the TIN you are giving is correct (or you are waiting for a number to be issued),
2. Certify that you are not subject to backup withholding, or
3. Claim exemption from backup withholding if you are a U.S. exempt payee. If applicable, you are also certifying that as a U.S. person, your allocable share of any partnership income from a U.S. trade or business is not subject to the withholding tax on foreign partners' share of effectively connected income.

Note. If a requester gives you a form other than Form W-9 to request your TIN, you must use the requester's form if it is substantially similar to this Form W-9.

Definition of a U.S. person. For federal tax purposes, you are considered a U.S. person if you are:

- An individual who is a U.S. citizen or U.S. resident alien,
- A partnership, corporation, company, or association created or organized in the United States or under the laws of the United States,
- An estate (other than a foreign estate), or
- A domestic trust (as defined in Regulations section 301.7701-7).

Special rules for partnerships. Partnerships that conduct a trade or business in the United States are generally required to pay a withholding tax on any foreign partners' share of income from such business. Further, in certain cases where a Form W-9 has not been received, a partnership is required to presume that a partner is a foreign person, and pay the withholding tax. Therefore, if you are a U.S. person that is a partner in a partnership conducting a trade or business in the United States, provide Form W-9 to the partnership to establish your U.S. status and avoid withholding on your share of partnership income.

The person who gives Form W-9 to the partnership for purposes of establishing its U.S. status and avoiding withholding on its allocable share of net income from the partnership conducting a trade or business in the United States is in the following cases:

- The U.S. owner of a disregarded entity and not the entity,

CONTRACT FORMS

The awarded bidder will be required to complete and submit documents substantially similar in form to the following.

These forms may need to be modified on account of changed circumstances, and are provided for informational purposes only.

City - Contractor Agreement #C -

For

Planning Department Management and Organizational Analysis

This Agreement is entered into by and between

(hereinafter the "Contractor") and the City of Newton, a municipal corporation acting by and through its Planning Department but without personal liability to him (hereinafter the "City"); collectively, the "parties."

WHEREAS, the City needs the services of an Organizational Management Professional; and

WHEREAS, the Contractor has submitted a responsive proposal for such services;

NOW THEREFORE, the parties agree as follows:

1. Incorporation of Attached Documents

The following documents, copies of which are attached hereto, are hereby incorporated as part of this Agreement:

-- City of Newton's Request for Proposal No. #15-64, dated _____ issued by, *Chief Procurement Officer* (hereinafter "Request for Proposals");

--Technical and Price Proposal of _____, each dated _____, 2015 and signed by _____, (hereinafter, "Contractor's Proposal");

2. Scope of Work

Provide a management and organizational analysis and recommendations for the City of Newton Planning Department.

3. Term of Agreement

Work under this RFP is expected to begin **the day of contract execution and shall extend thru October 31, 2015.**

4. Payment procedures

The Contractor shall be paid on completion of identified project milestones to the satisfaction of the Director of the Planning and Development Department, after the submission of an invoice.

5. Indemnification

The Contractor acknowledges and agrees that he is responsible as an INDEPENDENT CONTRACTOR for all services provided under this Agreement and for all the acts of her employees and agents hereunder and agrees that she will indemnify and hold harmless the City and its agents and employees from and against all claims, damages, losses and expenses, including attorney's fees arising out of, or resulting from, the performance of the services to be performed under this Agreement.

6. Insurance

The Contractor will provide the City with a certificate of insurance reflecting Comprehensive General Liability Insurance with a limit of liability of at least One Million Dollars (\$1,000,000.00) and evidence of workers compensation insurance covering employees of the Contractor. The Comprehensive General Liability policy must name the City as an additional insured and the certificate must reflect this status.

7. Governing Law

This Agreement shall be governed by and construed in accordance with the laws of the Commonwealth of Massachusetts.

8. Non-assignability

This Agreement and the duties of the Contractor to be performed hereunder or any payments due or accrued to the Contractor shall not be assigned or subcontracted.

9. Entire Agreement

This Agreement represents the entire understanding between the Contractor and the City. No change of any of the within terms and conditions can be made, except by written amendment(s) hereto and signed by both parties. This Agreement and any such amendments shall become binding on the City upon the execution thereof by the Mayor of Newton.

THIS SPACE INTENTIONALLY LEFT BLANK

IN WITNESS WHEREOF, the parties have set their hands and seals to this and two like originals.

CONTRACTOR

CITY OF NEWTON

By _____

Print Name _____

Title _____

Date _____

Affix Corporate Seal here

City funds in the amount of \$ _____
are available in account number
0111401-5301 _____

I further certify that the Mayor, or his
designee, is authorized to execute contracts and
approve change orders

By _____

Comptroller of Accounts

Date _____

By _____

Chief Procurement Officer

Date _____

By _____

Director of Planning and Development

Date _____

Approved as to Legal Form and Character

By _____

Associate City Solicitor

Date _____

CONTRACT AND BONDS APPROVED

By _____

Mayor or his designee

Date _____

ATTACHMENT – B

CERTIFICATE OF AUTHORITY - CORPORATE

1. I hereby certify that I am the Clerk/Secretary of _____
(insert full name of Corporation)
2. corporation, and that _____
(insert the name of officer who signed the **contract and bonds.**)
3. is the duly elected _____
(insert the title of the officer in line 2)
4. of said corporation, and that on _____
(insert a date that is ***ON ORBEFORE*** the date the officer signed the **contract and bonds.**)

at a duly authorized meeting of the Board of Directors of said corporation, at which all the directors were present or waived notice, it was voted that

5. _____ the _____
(insert **name** from line 2) (insert **title** from line 3)

of this corporation be and hereby is authorized to execute contracts and bonds in the name and on behalf of said corporation, and affix its Corporate Seal thereto, and such execution of any contract of obligation in this corporation's name and on its behalf, with or without the Corporate Seal, shall be valid and binding upon this corporation; and that the above vote has not been amended or rescinded and remains in full force and effect as of the date set forth below.

6. ATTEST: _____ *AFFIX CORPORATE*
(Signature of **Clerk or Secretary**)* *SEAL HERE*
7. Name: _____
(Please print or type name in line 6)*
8. Date: _____
(insert a date that is ***ON ORAFTER*** the date the officer signed the **contract and bonds.**)

* The name and signature inserted in lines 6 & 7 **must** be that of the **Clerk or Secretary** of the corporation.

ATTACHMENT - C

CERTIFICATION OF TAX COMPLIANCE

Pursuant to M.G.L. c.62C, §49A and requirements of the City, the undersigned acting on behalf of the Contractor certifies under the penalties of perjury that the Contractor is in compliance with all laws of the Commonwealth relating to taxes including payment of all local taxes, fees, assessments, betterments and any other local or municipal charges (unless the Contractor has a pending abatement application or has entered into a payment agreement with the entity to which such charges were owed), reporting of employees and contractors, and withholding and remitting child support.*

**Signature of Individual
or Corporate Contractor (Mandatory)

*** Contractor's Social Security Number
(Voluntary) or Federal Identification Number

Print Name:_____

By: _____
Corporate Officer
(Mandatory, if applicable)

Date: _____

Print Name:_____

* The provision in this Certification relating to child support applies only when the Contractor is an individual.

** Approval of a contract or other agreement will not be granted until the City receives a signed copy of this Certification.

*** Your social security number may be furnished to the Massachusetts Department of Revenue to determine whether you have met tax filing or tax payment obligations. Providers who fail to correct their non-filing or delinquency will not have a contract or other agreement issued, renewed, or extended.

ATTACHMENT - D

CERTIFICATE OF FOREIGN CORPORATION

The undersigned hereby certifies that it has been duly established, organized, or chartered as a corporation under the laws of:

(Jurisdiction)

The undersigned further certifies that it has complied with the requirements of M.G.L. c. 30, §39L (if applicable) and with the requirements of M.G.L. c. 156D, §15.03 relative to the registration and operation of foreign corporations within the Commonwealth of Massachusetts.

Name of person signing proposal

Signature of person signing proposal

Name of Business (Please Print or Type)

Affix Corporate Seal here

